

#3

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Masahiro KOMATSU

Appln. No. Unknown

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: March 05, 2002

Examiner: Unknown

For: CDMA BASE STATION AND TRANSMISSION DIVERSITY CONTROL METHOD

11002 U.S. PTO
10/087857
03/05/02

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Japanese Laid-Open Patent Publication No. 2000-174678, published June 23, 2000 with English Abstract.
2. Japanese Laid-Open Patent Publication No. 8-195703, published July 30, 1996 with English Abstract.
3. Japanese Laid-Open Patent Publication No. 9-8716, published January 10, 1997 with English Abstract.
4. Japanese Laid-Open Patent Publication No. 10-322254, published December 4, 1998 with English Abstract.

Masahiro KOMATSU

Q68777

INFORMATION DISCLOSURE STATEMENT

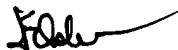
5. Japanese Patent No. 2876517, published January 22, 1999 (corresponds to Japanese Patent Application Publication No. 7-283779, published October 27, 1995 with English Abstract).
6. Japanese Patent No. 3108643, published September 8, 2000 (corresponds to Japanese Patent Application Publication No. 10-163938, published June 19, 1998 with English Abstract).

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



J. Frank Osha
Registration No. 24,625

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: March 5, 2002

Substitute for form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	Unknown
				Confirmation Number	Unknown
				Filing Date	March 05, 2002
				First Named Inventor	Masahiro KOMATSU
				Art Unit	Unknown
Examiner Name	Unknown	1002 U.S. PTO 10/087857 03/05/02			
Attorney Docket Number	Q68777				
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ <i>(if known)</i>			
		JP	2000-174678		06/23/2000	NEC Corp.	English Abstract
		JP	8-195703		07/30/1996	Toshiba Corp.	English Abstract
		JP	9-8716		01/10/1997	Matsushita Electric Ind.	English Abstract
		JP	10-322254		12/04/1998	Kyocera Corp.	English Abstract
		JP	2876517		01/22/1999		
		JP	3108634		09/08/2000		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.